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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/611,822

06/30/2003

James Burke

KRM-0001 JB

4879

43261

7590

11/02/2004

EXAMINER

CHUNG, DANIEL J

MATTHEW R. KASER

4793 EWING ROAD

CASTRO VALLEY, CA 94546

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/611,822	Applicant(s) BURKE, JAMES	
	Examiner Daniel J Chung	Art Unit 2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9-30-2003</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Information Disclosure Statement

Receipt is acknowledged of Applicant's Information Disclosure Statement of 9-30-2003, which has been placed in the application file and considered by the Examiner.

Drawings

The drawings are not objected to by the Examiner.

Specification

Please review the application and correct all informalities.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Hugh (6,166,739).

Regarding claim 1, Hugh discloses that the claimed feature of a GUI, the GUI (See Fig 3-4, Fig 9, Fig 11-13, col 6 line 18-19) comprising: a plurality of nested spherical surfaces [i.e. 310,914] (See Fig 9, Fig 18); a plurality of nodes [i.e.

"display/graphical icons"; 314,950,960], the plurality of nodes comprising a first node and a second node, and each node associated with a location on at least one of the plurality of spherical surfaces [310,914]; and a plurality of lines [i.e. "connecting lines"; 300], at least one line having a first endpoint associated with the first node and a second endpoint associated with the second node. (See Abstract, Fig 3-4, Fig 9, Fig 11-13, Fig 25, col 2 line 49-col 3 line 29)

Regarding claim 2, Hugh discloses that the claimed feature of an image generated by a machine, the image [Fig 3] having at least one virtual surface, at least one first node [i.e. 312] on the virtual surface, at least one second node [i.e. 322] on the virtual surface, at least one line [i.e. 300] having an endpoint associated with the first node [312] and a second endpoint associated with the second node [322], wherein each node is linked to a curated database of records [i.e. "thought data"]; wherein each line ["connecting line"] represents a relationship between the associated nodes; and wherein the relationships form a relational network ["network relationship"] and the relational network is a part of a knowledge web ["thought network in web system"]. (See Abstract, Fig 3-4, Fig 9, Fig 11-13, Fig 25, col 2 line 49-col 3 line 29)

Regarding claim 3, Hugh discloses that the claimed feature of a method of building a knowledge web, the method comprising: assembling [Fig 1] a plurality of records [i.e. 111] wherein the records having a plurality of individual data; linking [300] at least one first record [312] with at least one second record [322] the records thereby

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having a relationship between the records through the link; selecting a mathematical model [i.e. "relationship list"] that defines the relationship; recognizing the relationship between the records; thereby building the knowledge web ["thought network in web system"]. (See Abstract, Fig 1, Fig 3-4, Fig 9, Fig 11-13, Fig 25, col 2 line 49-col 3 line 29)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Chung whose telephone number is (703) 306-3419. He can normally be reached Monday-Thursday and alternate Fridays from 7:30am- 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael, Razavi, can be reached at (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306 (Central fax)

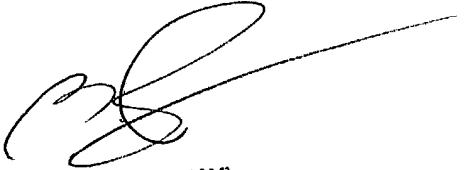
(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

djc
October 28, 2004



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600